

REMARKS

A. Background

Claims 1-10 were pending in the application at the time of the Office Action. Claims 1-10 were rejected as being anticipated by and/or obvious over cited art. By this response applicant has cancelled claim 2; amended claims 1, 3, and 5-7; and added new claims 11-15. As such, claims 1 and 3-15 are presented for the Examiner's consideration in light of the following remarks.

B. Proposed Amendments

Applicant has herein amended the specification and drawings to remedy various formalities. Applicant has also herein amended claims 1, 3, and 5-7 to further clarify, more clearly define, and/or broaden the claimed inventions to expedite receiving a notice of allowance. For example, claim 1 has been amended to incorporate the limitations of claim 2, which previously depended from claim 1, and to clarify that the filter stages are separate from each other. The new claims and the amendments to the previously pending claims are supported in the application at least by Figures 2 and 3 and page 4, line 35 through page 5 line 28 of the specification. In view of the foregoing, applicant submits that the amendments to the specification, drawings, and claims do not introduce new matter and entry thereof is respectfully requested.

C. Rejection Based on 35 USC § 102

Page 2 of the Office Action rejects claims 1-10 under 35 USC § 102 as being anticipated by U.S. Patent No. 6,824,595 to Ueki et al. ("*Ueki*"). In view of the cancellation of claim 2, the rejection of that claim has been rendered moot and should be withdrawn. Regarding the remaining rejected claims, Applicant respectfully traverses this rejection and submits that *Ueki* does not

anticipate claims 1 and 3-10 at least because *Ueki* does not include each and every claim limitation recited in the rejected claims. Of the rejected claims, claim 1 is the sole independent claim.

Ueki discloses a filter which is a combination of an adsorbent and a breathable member. Specifically, *Ueki* discloses a filter having “an adsorbent 13 ... provided on one side of a base 12, and the adsorbent 13 is covered by a breathable member 14 to form an adsorbent unit.” Col. 5, lines 17-19. *Ueki* further discloses that the base 12 is only used to hold the shape and thus can be made of plastic, metal or glass or the like. See col. 6, lines 24-37. As such, the base 12 is not a stage of the *Ueki* filter. Thus, the filter disclosed in *Ueki* only includes two filter stages: the breathable member 14, and the adsorbent 13.

While the breathable member 14 disclosed in *Ueki* may arguably read on the porous membrane of the present invention, there is no disclosure in *Ueki* of using two other separate filter stages. While *Ueki* appears to disclose using activated carbon and silica gel, *Ueki* only discloses using these components as alternatives to each other or as combined in the single adsorbent 13. For example, *Ueki* states that “[t]he adsorbent 13 can be any material that has adsorption properties ... such as silica gel, activated carbon, ...” Col. 6, lines 44-46. This implies a single adsorbent. *Ueki* further states that “[u]sing a combination of activated carbon and silica gel makes it possible to obtain an adsorbent that combines moisture control functions with an ability to adsorb noxious gases.” Col. 6, lines 63-66, emphasis added. As is clear from this passage, *Ueki* is only referring to using a combination of activated carbon and silica gel in the single adsorbent 13, not as separate stages in the filter.

Accordingly, because *Ueki* only discloses a single adsorbent filter stage to go along with a breathable member, Applicant submits that *Ueki* does not disclose or suggest a filter having a passageway that includes “**a series of filter stages separate from each other, the filter stages including: a) a porous membrane, b) activated carbon, and c) silica gel,**” as recited in amended

claim 1. In view of the foregoing, Applicant submits that *Ueki* does not include each and every limitation recited in claim 1 and therefore respectfully requests that the anticipation rejection of claim 1 be withdrawn.

Claims 3-10 depend from claim 1 and thus incorporate the limitations thereof. As such, applicant submits that claims 3-10 are distinguished over the cited art for at least the same reasons as discussed above with regard to claim 1. Accordingly, Applicant respectfully requests that the anticipation rejection with respect to claims 3-10 also be withdrawn.

Applicant further submits that the differences between *Ueki* and the claimed invention are not just trivial but represent significant differences. The activated carbon in the present invention operates as an adsorber with a specific role to adsorb the chemical contaminants which might be in water vapor that could flow into the sealed chamber. The carbon granules adsorb the chemicals and prevent them from reaching the interior of the sealed chamber where they can cause considerable corrosion. The silica gel operates as an absorber to capture the water after the air has passed through the activated carbon. The filter is specifically positioned externally of the sealed chamber to provide low resistance to airflow by designing stages to minimize pressure differential.

In contrast, as noted above, the activated carbon and silica gel are at most combined in a single stage of the *Ueki* filter. When silica gel and activated carbon are mixed, it becomes very difficult to ensure that all the air interacts with both agents. Furthermore, in use, absorptive desiccant agents like silica granules, swell as they absorb water and, under extreme conditions, change into a gel state. If the two agents are intermixed, the swelling action forces the desiccant to flow into the voids between the activated carbon granules. The swollen silica can significantly reduce the effective air contact with the nano-scale passages on the surface of activated carbon and thereby prevent air from

flowing into the internal surfaces of the carbon granules. This increases the filter's resistance to airflow and diminishes the ability to adsorb and trap corrosive chemicals.

No other objections or rejections are set forth in the Office Action.

D. New Claims

Applicant submits that new claims 11-15 are also distinguished over the cited art. For example, new claim 12 recites a filter that includes "a plurality of filter stages ... being separate from each other, the filter stages comprising the following separate stages: a) a porous membrane, b) activated carbon, and c) silica gel." As such, Applicant submits that independent claim 12 is distinguished over the cited art for substantially the same reasons as discussed above regarding claim 1. Claim 11 depends from claim 1, and claims 13-15 depend from claim 12 and are thus also distinguished over the cited art for substantially the same reasons as discussed with regard to claims 1 and 12.

E. Conclusion

Applicant notes that this response does not discuss every reason why the claims of the present application are distinguished over the cited art. Most notably, applicant submits that many if not all of the dependent claims are independently distinguishable over the cited art. Applicant has merely submitted those arguments which it considers sufficient to clearly distinguish the claims over the cited art.

In view of the foregoing, applicant respectfully requests the Examiner's reconsideration and allowance of claims 1 and 3-15 as amended and presented herein.

In the event there remains any impediment to allowance of the claims which could be clarified in a telephonic interview, the Examiner is respectfully requested to initiate such an interview with the undersigned.

Finally, the Commissioner is hereby authorized to charge payment of any of the following fees that may be applicable to this communication, or credit any overpayment, to Deposit Account No. 23-3178: (1) any filing fees required under 37 CFR § 1.16; (2) any patent application and reexamination processing fees under 37 CFR § 1.17; and/or (3) any post issuance fees under 37 CFR § 1.20. In addition, if any additional extension of time is required, which has not otherwise been requested, please consider this a petition therefore and charge any additional fees that may be required to Deposit Account No. 23-3178.

Dated this 23rd day of September 2008.

Respectfully submitted,

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